

*Bruce T. Beesley*

Honorable Bruce T. Beesley  
United States Bankruptcy Judge



Entered on Docket  
August 29, 2014

NICHOLAS STROZZA, ASSISTANT U.S. TRUSTEE  
State Bar #CA 117234  
WILLIAM B. COSSITT, #3484  
Office of the United States trustee  
300 Booth Street, Room 3009  
Reno NV 89509  
Telephone: (775) 784-5335  
Fax: (775) 784-5531

Attorneys for United States Trustee  
Tracy Hope Davis

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

|                  |   |                               |
|------------------|---|-------------------------------|
| In re:           | ) | Case no: BK-N-14-50331-BTB    |
|                  | ) | Chapter 11                    |
| AT EMERALD, LLC, | ) |                               |
|                  | ) | ORDER CONVERTING CASE TO      |
|                  | ) | CHAPTER 7                     |
|                  | ) |                               |
|                  | ) | Hearing Date: August 22, 2014 |
|                  | ) | Hearing Time: 2:00 p.m.       |
| Debtor.          | ) |                               |

John Beach, Trustee of the Beach Living Trust dated January 22, 1999 (herein "Beach Trust") moved on proper notice for an order appointing a trustee, ("Motion" Docket #164<sup>1</sup>) and the Motion came on for hearing at the above stated date and time after time was shortened by this Court's Order of August 14, 2014, Docket #166. Anthony Thomas and Wendi Thomas appeared on their own behalf in opposition to the Motion. Docket #'s 179 and 180. Timothy A. Lukas,

<sup>1</sup> Docket numbers refer to the jointly administered docket BK-N-14-50333-btb.

1 Esq., appeared on behalf of the Beach Trust. William B. Cossitt, Esq. appeared for the US  
2 Trustee, and orally moved for conversion of the case to chapter 7 instead of appointment of a  
3 chapter 11 trustee.

4 The Court having read the pleadings, listened to testimony and the arguments of the  
5 parties, having reviewed its previous notes and findings from previous hearings and having put  
6 its findings of fact and conclusions of law on the record in open court, including the  
7 incorporation of earlier findings and conclusions from earlier hearings, pursuant to Federal Rule  
8 of Civil Procedure 52 made applicable by Federal Rule of Bankruptcy Procedure 7052, and good  
9 cause appearing;  
10

11 IT IS HEREBY ORDERED that this case is CONVERTED TO CHAPTER 7.

12  
13 Respectfully submitted,

14 Nicholas Strozza  
15 State Bar # CA 117234  
16 William B. Cossitt  
17 State Bar #3484  
18 300 Booth Street, #3009  
19 Reno NV 89509  
20 (775) 784-5335

21 /s/ WILLIAM B. COSSITT

22  
23 \_\_\_\_\_  
24 Attorneys for United States Trustee  
25 Tracy Hope Davis

26 APPROVED this 25th day of August, 2014.

27 /s/ Timothy A. Lukas

28 \_\_\_\_\_  
Timothy A. Lukas, Esq., Attorney for Beach Trust

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CERTIFICATE OF SERVICE

In accordance with LR 9021(c), counsel submitting this document certifies as follows:

\_\_\_\_ The court has waived the requirement set forth in LR 9021(b)(1).

\_\_\_\_ No party appeared at the hearing or filed an objection to the motion.

\_\_\_X\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Timothy A. Lukas, Esq., VIA E-MAIL 08/22/14 APPROVED 8/25/14

Anthony Thomas and Wendi Thomas, VIA US MAIL 08/22/14 **NO RESPONSE**  
VIA E-MAIL 08/25/14 **NO RESPONSE**

\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

DATED this 27th day of August, 2014.

WILLIAM B. COSSITT

/S/ WILLIAM B. COSSITT  
TRIAL ATTORNEY for the  
United States Trustee  
TRACY HOPE DAVIS